

City of Beach City Council Regular Meeting Minutes

The Beach City Council met for a Regular Meeting on Tuesday,
October 28, 2014 at the Beach City Community Building
12723 FM 2354 Beach City, TX. 77523

Members Present: Mayor Billy Combs (presiding), Mayor Pro Tem Jackey Lasater, Alderman Paul Newman, Alderman Dana Colquitt and Alderman Ray Smith

Members Absent: Alderman Doug Walker

Staff Present: City Secretary Evonne Donnelly, Assistant Secretary Marge Bercaw and City Attorney Daniel Jackson

1. Call to order

Mayor Combs called the meeting to order Tuesday, October 28, 2014 at 6:01 pm.

2. Invocation and Pledge of Allegiance

Mayor Combs offered prayer.

Alderman Lasater led the Pledge of Allegiance to the United States and Texas flags.

3. Public Comments (Limited to five minutes per person)

A local resident who recently purchased a lot in Walker subdivision told Council that he has uncovered approximately thirteen boats and trailers on his property.

4. Hear report and update from Chambers County Commissioner, Rusty Senac

Commissioner Senac spoke of a radar speed sign that the County has borrowed from the City of Anahuac. The County has made repairs to the sign and it is up and operational. TXDOT does not need an operational agreement with the County for the use of this sign; as long as they abide by the standard protocol TXDOT has for roadways.

TXDOT will meet with the County Judge in approximately two weeks to review the findings of the latest traffic study on FM 3180 and FM 2354.

The new communications tower is still moving forward as planned.

The U.S. Fish and Wildlife Service met with the Commissioner and others regarding the SEAAP Funds (Coastal Impact Funds) that are available for McCollum Park . The U.S. Fish and Wildlife Service requested the County install a handicap ramp down the slope to the bay. The County respectfully declined. Instead, the County is considering replacing some of the

large Oak Trees that were lost during Hurricane Ike and will add some native groundcover. The County continues to work with the Galveston Bay Foundation on the Living Shoreline. Kilgore Parkway is scheduled to open on November 7th.

In 2000, members of the Beach City Council, and Mayor Senac put together the Western Chambers County Transportation Plan (WCCTP). TXDOT contributed some funds and hired an engineering firm. TXDOT ran out of money and pulled the plug on the plan. Later, the plan was revived with new funds from TXDOT. Two Chambers County Commissioners, along with representatives from the City of Mont Belvieu and the City of Baytown were also involved in the WCCTP. The plan was finalized in 2003. The County is working on a 2040 plan for transportation along with Houston-Galveston Area Council (H-GAC). So much has changed in West Chambers County since 2003 that Commissioner Senac has requested updated information from the County Judge on the 2014-2015 transportation plan. The plan needs to be updated and the projects should be prioritized. According to Commissioner Senac, funding for infrastructure projects is slim in Chambers County.

5. Approval of Minutes for Regular Meeting of September 23, 2014

Motion to approve the minutes of the September 23, 2014 Regular Meeting .

Motion: Newman **Second:** Smith **Approved:** 4-0

Alderman Newman questioned the verbiage in two items, 11 and 18.

After discussion amongst Council, the corrections to each line item are listed as:

Item 11: Change "No motion made, therefore, request denied" to "No motion made".

Item 18: Change "TXDOT looks favorable with a sign" to "TXDOT is agreeable with the sign".

Motion amended to approve the corrections, based on the discussion.

Amended Motion: Newman **Amended Second:** Smith **Approved:** 4-0

6. Financial Consent Agenda (All financial consent agenda items are considered routine by Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council member requests an item to be removed and considered separately.)

(a) Review and approve the Financial Statements for previous month

(b) Review and approve Investment Update

(c) Review and approve Expenditures for the current month

Mayor Combs noted that the verbiage in parenthesis stating "there will be no separate discussion of these items unless a Council member requests it to be removed and considered separately", is incorrect. Council members are allowed to discuss each item separately; this was inadvertently added to the agenda.

Mayor Combs also pointed out to Council that in June 2014 there were five On-Site Sewage Facility (OSSF) inspections that were paid to the City Inspector in July 2014. With the budget year ending in June 2014, this is showing the OSSF inspections paid percentage to be higher than the OSSF permitting percentage. This may throw the budget off at the end of the fiscal year.

There are three CD's that will mature in January 2015.

Motion to approve the Financials.

Motion: Newman

Second: Lasater

Approved: 4-0

7. Adopt and/or modify an ordinance establishing Health & Safety Codes for Beach City

Attorney Daniel Jackson stated that existing Ordinance 2003-1, the City's Public Nuisance Abatement Ordinance, will need some tweaking. Attorney Jackson reviewed the County's Nuisance Process Flow Chart with Council and noted the items that would need to be modified to suit the City's needs.

Council recently created Ordinance 2014-1 establishing a Municipal Court Judge and Clerk to process any potential fines resulting from violations of Ordinance 2003-1 or its amendment.

Motion to approve amendment to ordinance and approve the Nuisance Process.

Motion: Lasater

Second: Newman

Approved:

Motion Amended to include amending Section 5 to one posting.

Motion Amended: Newman

Second Amended: Newman

Approved: 4-0

8. Consider enforcement action, legal and/or other, on non compliance to City ordinances

Alderman Colquitt spoke of her neighbor who has filled in his ditch and continues to do various things around the ditch that impede the drainage.

Mayor Combs asked if Council wants to add something to the books that stops some of the non-compliance issues within the City.

Mayor Combs will call County Engineer Bobby Hall to get his feedback on the issue of a resident impeding drainage.

9. Consider and adopt Ordinance modifying Ordinance 2005-1 establishing the method of provision of Electrical Power; to also include permitting requirements

Attorney Jackson recommended a change to Ordinance 2014-6 from "Modifying Ordinance 2005-1" to "Amending Ordinance 2005-1". Other changes discussed referred to publishing the notice in the local newspaper.

Motion to approve as amended.

Motion: Newman

Second: Lasater

Approved: 4-0

10. Consider and adopt Resolution on Permit Rates

There will be no charge to residents for changing out electrical meters or poles. There were minor changes discussed to the permit rate chart. This will be Resolution 2014-10.

Motion to approve as amended.

Motion: Smith

Second: Newman

Approved: 4-0

11. Update, discussion and possible action on the dedication of the Fallen Heroes Memorial

Mayor Combs stated that the granite is in. Mayor would like to erect a cedar picket fence behind the memorial and has a fence company that will donate the materials. The City will need someone to install the fence.

Council is considering various options on placement of the two benches that are being donated.

The Resolutions of Appreciation honoring the donors to the Fallen Heroes Memorial (FHM) were printed by Anchor Printing. Council approved of the paper and card stock used. Secretary Donnelly will purchase the frames for the Resolutions to be presented.

12. Discuss and consider alternate dates for the November and December Council meetings

Mayor Combs and Council discussed moving the current Council meeting date in November and December from the fourth Tuesday to the third Tuesday; due to the holidays.

Motion to change the Council meeting dates to November 18th and December 16th.

Motion: Smith

Second: Newman

Approved: 4-0

13. Discussion on the process to obtain Nominations for the 2014 Volunteer of the Year

Mayor Combs will email the Nomination forms.

14. Discuss and plan 4th annual Sit Down with Santa

Jay Hammes is the local volunteer who assists the City with the planning of the Sit Down with Santa (SDwS) each year. This event is scheduled for Saturday, December 6th, 2014 at 6:00 pm.

Jay stated that the hot dogs were a pain to serve last year and she will be serving gumbo this year. Alderman Colquitt suggested that hotdogs would be better for the children, since most children do not eat gumbo.

Mayor Combs asked Alderman Colquitt if she would like to serve on a SDwS committee to iron out all the details with Jay. Aldermen Colquitt and Newman will both serve on the committee and report back to Council at the November meeting.

Jay said that she would like to replace the wooden sign with two banners.

Jay also, wants to have a hayride for the children at the SDwS event. Mayor Combs stated that the hayride could not go onto the highway and would have to remain on the County property; but the County would have to give their consent. Alderman Colquitt questioned potential liability for the City by adding a hayride to the SDwS. Attorney Jackson stated that this it is a City sponsored event and therefore would incur liability. Mayor Combs stated that we should check into our coverage with the Texas Municipal League Risk Pool.

15. Report and update from Mayor Combs

None

16. Council Comments

None

17. Adjourn

Motion to adjourn at 8:50 pm

Motion: Newman

Second: Smith

Approved: 4-0

Approved: **November 18, 2014**



Billy Combs, Mayor

Attest:



Evonne Donnelly, City Secretary